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December 13, 2024

VIA ECF

Honorable Robyn F. Tarnofsky
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: KGB NY LLC v. Guzman et al, 1:23-cv-10979 (ALC) (RFT)

Dear Honorable Judge Tarnofsky:

This firm represents Plaintiff KGB NY LLC (“Plaintiff”) in the above-referenced matter. We respectfully submit this letter on behalf of all parties to provide a status update in this case pursuant to Your Honor’s Order entered July 26, 2024 (the “Order,” ECF No. 40).

Plaintiff and Defendants Roberto Guzman, David Khouri, and CULTUM Studio (collectively, the “CULTUM Defendants”) jointly requested a 30-day extension of time to complete discovery to December 15, 2024—due to the CULTUM Defendants’ counsel undergoing a medical procedure—which the Court granted. Plaintiff expects the CULTUM Defendants’ responses to its supplemental discovery, as well as updates on (i) whether the CULTUM Defendants will voluntarily remove the photos alleged to infringe on Plaintiff’s copyrighted furniture designs (as their counsel represented he would recommend to his clients that they do so pending resolution of this action) and (ii) whether the CULTUM Defendants’ insurance carrier will attend an upcoming settlement conference.

While Plaintiff and the CULTUM Defendants were scheduled to appear at a settlement conference on December 17, 2024, the Court has adjourned that settlement conference, and Plaintiff and the CULTUM Defendants are working to provide alternative dates and times to the Court by January 6, 2025, as directed.

Separately, Squarespace has filed a letter requesting a pre-motion conference for a motion to dismiss Plaintiff’s claim against Squarespace pursuant to FRCP Rule 12(b)(6) (ECF No. 45). The Court has not yet scheduled that pre-motion conference.

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We thank Your Honor for the considered attention to this matter.

Respectfully submitted,

GREENSPOON MARDER LLP



Brian A. Bloom

cc: All Counsel of Record (via ECF)